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Judge Dillon. The conspicuous merit of what may be called "the legal chapters" consists in their clear statement of the various and conflicting theories heretofore acted upon by different courts. The present state of the legal controversy as to these important open questions is depicted here in vivid colors and with a due sense of proportion. While the author does not conceal his individual views, he also gives a fair statement of all the prominent theories and a reference to a sufficient number of illustrative cases. The work cannot fail to be of great service to the legal profession.

J. S.

A MANUAL OF PUBLIC INTERNATIONAL LAW. By Thomas Alfred Walker, M. A., LL. D., Fellow and Lecturer of Peterhouse, Cambridge. New York: Macmillan & Co. 1895. 8vo. pp. xxviii, 244.

HANDBOOK OF INTERNATIONAL LAW. By Captain Edwin F. Glenn, Acting Judge Advocate U. S. A. St. Paul: West Publishing Co. 1895 [Hornbook Series]. 8vo. pp. xix, 478.

International Law is a branch of science ill fitted for manual instruction; one easily sees that, so entirely has it been developed by reasoning and discussion, its study requires headwork and headbooks rather than handbooks. And indeed it has until lately been blessed by an absence of the latter class of literature, — a boon that was not sufficiently realized. But blessings brighten as they take their flight.

Of what use these books (both said to be designed for the use of students) can be to persons who really desire to learn is not quite clear. Dr. Walker intends his book to "serve as a fairly comprehensive general introduction to detailed study of the subject." Captain Glenn suggests that he wishes "to prepare the student's mind for the more ready and complete comprehension" of the exhaustive treatises on the subject. A man who understands the English language, has some knowledge of history, and is sufficiently mature to comprehend the nature of the considerations involved in an international question, is quite qualified to use Wheaton, Calvo, or Hall; one who has not these qualifications could get no help from Dr. Walker or Captain Glenn. As such books must, these handbooks save the readers the burden of struggling with difficulties by the device of stating, as a rule, only what is plain and undisputed. To quote Captain Glenn again, "it is not intended to follow and discuss these principles in their many ramifications of actual practice."

But judging, as we ought, with relation to other books of the same class, one must say that Dr. Walker's book is well done. Originality is of course not to be looked for (as Captain Glenn naively remarks in his Preface), and one should therefore not quarrel with Dr. Walker, as some have done, for following too blindly his English predecessors; though the effect of this course is sometimes a little surprising, when a peculiarly English idea, reduced to lowest terms, is confronted with the real facts.

Thus the English notion of International Law — that it is a mere *précis* of the actual present practice of nations as seen through the spectacles of the British Foreign Office — leads Dr. Walker into the delicious absurdity of the following statements, *à propos* of the partition of Poland: "International Law, it is true, rests upon practice, and accordingly wha ever rules *do* secure the general adhesion of civilized states must by the lawyer be classed as law. But moral injustice *cannot* secure such general adhesion. And accordingly, although interventions under sanction of the European Concert have been fairly frequent, they have been

hitherto based, and must, it would seem, of necessity be based, on the common interest of civilized Powers, and particularly of the Powers of the Concert. Interventions of this order are indeed but measures of high international police"! An equally obscure passage is that upon Naturalization, on page 44.

It is reassuring to find that Dr. Walker does not follow Mr. T. J. Lawrence in the whimsical notion of an aristocracy of great powers in the Old World, and an international monarchy in the New. England, it appears, is not yet prepared to discard the doctrine upon which all international intercourse is built, — that of the equality of independent states. One is also glad to see the free quotation of decided cases, both English and American, in all parts of the subject.

Captain Glenn's book cannot be so highly commended. After disclaiming originality in statement of principles, he tells us that these "have been freely copied from authorities of recognized standing;" and as a mere work of selection and abridgment, chiefly from Hall's treatise, it has been pretty well done. The general arrangement of the subject, also, is good; this is because "the analysis of this subject and selection of cases by Mr. Snow, both of which are excellent, have been freely used." Captain Glenn's Table of Contents is in fact an almost exact copy of Dr. Snow's "Syllabus." Having taken his arrangement and statement of principles from works already published, Captain Glenn has added certain comments and explanations in his own language. These, though sometimes clear and pertinent, can never be said to rise above mediocrity.

This method of book-making is now common, and in this case, being so frankly acknowledged, cannot be called dishonest; but it is none the less an unlicensed use of the labor and the ideas of other men. It is not necessary further to comment on the matter. Captain Glenn's book is hardly calculated to supersede Hall and Snow.

J. H. B.

HISTORY OF THE LAW OF REAL PROPERTY IN NEW YORK. — An essay introductory to the study of the Revised Statutes. By Robert Ludlow Fowler. New York: Baker, Voorhis & Co. 1895. 8vo. pp. xxxvi, 229.

This book will be welcomed with especial interest by New York law students, for it makes a very readable as well as instructive introduction to the study of the Revised Statutes. Mr. Fowler is not, in the main, a profound writer, but he is always clear, and, at times, entertaining. The reader follows the narrative with ease, whether the subject in hand be the points of difference between the English and the more lenient Dutch law of feudal tenure, the effect upon the feudal system of the Statute 12 Car. II., or the effect upon uses and trusts of the Revised Statutes of New York. Here and there the way is enlivened with a glimpse of political history; but it is only a glimpse, for the author never allows himself to be beguiled more than momentarily from the dusty road of the legal historian. There is a good deal of recondite learning on the nature of a fee-farm in the seventeenth century, a difficult subject, which Mr. Fowler has examined at some length, and on which he dissents with becoming modesty from the decision of the Court of Appeals in *De Lancey v. Piepgras* (138 N. Y. 26).

The book is, however, for the most part an historical, and not a crit-